SEP 27 2021

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NOTICE OF EXEMPTION

TO:

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Office of Planning and Research
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Sacramento, CA 95812-3044

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Sacramento, CA 95812-3044
Sierra County Clerk

FROM:

Alleghany County Water District PO Box 860

Alleghany, CA 95910

Project Title: Alleghany County Water District (ACWD) Ram Spring Water Supply Improvement Project

Project Location:

The project site is located in Alleghany, an unincorporated community in Sierra County in Township 19 North, Range 10 East, Section 34, as depicted on the U.S. Geological Survey's (USGS) Alleghany 7.5-minute quadrangle (Figure 1). Project plans are provided in Figures 2 and 3. The ±0.4-acre project site is in and adjacent to Sierra County Assessor's Parcel Number (APN) 004-260-029.

City: Alleghany (unincorporated)

County: Sierra

Description of Nature, Purpose, and Beneficiaries of Project:

The project includes improvements to the ACWD water system at the Ram Springs source water site and throughout the ACWD service area. The purpose of the project is to protect water system infrastructure and ensure a safe and reliable water supply for ACWD customers. Improvements include:

- Adding base rock/fill material to cover and protect water collection pipes;
- Constructing a 10-foot by 10-foot concrete tank pad and a freestanding roof (open-sided structure) for the existing 1,100-gallon collection tank.
- Installing various improvements within the pump house, including plumbing and vents, and replacing an existing generator. Approximately 90 linear feet of electrical line would be installed, extending from the existing pump house to the new lab building.
- Constructing a 12-foot by 16-foot water sample lab adjacent to the Ram Springs collection field, creating a ±485 square-foot paved driveway in front of the building, and installing a trench drain to convey ditch runoff over the driveway. A phone connection and SCADA would be installed inside the lab building as well. Recontouring of the hillside to the north of the proposed building would be required for construction of the building pad. Additionally, this work would require the removal of three small cedar trees and several saplings;
- Removing and replacing the existing fence. The new fence would be in approximately the same location as the
 existing fence, but would be expanded to include the new lab building as well as lands along the northern side of
 the project site, upslope of the water collection manifold, to encompass an additional ±34-foot-wide buffer
 upslope of the manifold;
- Constructing four new curtain drains and associated piping, and replacing the existing water collection manifold.
 Two new 60-foot curtain drains and one new 50-foot curtain drain would connect to an existing pipe supplying
 water to the Sixteen-to-One Mine. One new 34-foot curtain drain would supply water to the proposed wetland
 creation site.
- Constructing a ±440 square-foot wetland in the southwestern portion of the project site. Water from the new
 curtain drain would be directed to a 24-foot long, 8-inch diameter perforated pipe to be located along the upper
 edge of the created wetland. Regrading of the downslope land would be conducted to provide even distribution
 of water throughout the created wetland.
- Removing problem/hazard trees located upslope of the water collection manifold to prevent further root intrusion and eliminate additional tree fall due to root stress:

- Removing brush and undergrowth within the newly fenced area and re-seeding/installing erosion control as needed;
- Selectively removing upland overstory trees from a ±20-foot by 30-foot area in the southwestern portion of the
 project site outside of the current fence line. The objective of upland tree removal would be to enhance the
 growth of wetland species such as alders and willow trees, which would be left intact;
- Replacing up to 51 water meters throughout the ACWD service area (see Figure 1), with the final number and locations yet to be determined; and
- Obtaining all necessary permits, which may include an encroachment permit for work in the County road right-ofway, a Timberland Conversions Permit or Conversion Exemption from the California Department of Forestry and Fire Protection, a Department of the Army Nationwide Permit, Water Quality Certification or Waste Discharge Requirements from the Regional Water Quality Control Board, and possibly a Streambed Alteration Agreement from California Department of Fish and Wildlife.

Name of Public Agency Approving Project:Alleghany County Water DistrictName of Agency Carrying out the Project:Allegheny County Water DistrictLocal Agency Contact Person:Rae Bell Arbogast, General Manager, 530-287-3204

Exempt Status: Categorical Exemption:

California Code of Regulations, Title 14, Division 6, Chapter 3 (CEQA Guidelines):

Class 1, §15301 (Existing Facilities); Class 2, §15302 (Replacement or Reconstruction); Class 3, §15303 (New Construction or Conversion of Small Structures)

Reason Why Project Is Exempt:

Class 1 includes the repair, maintenance, or minor alteration of publicly owned utilities, involving negligible or no expansion of use, and the rehabilitation of deteriorated structures or facilities to meet current public health standards and safety. Class 2 includes replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. Class 3 includes the construction and location of limited numbers of new, small facilities or structures, and installation of small new equipment and facilities in small structures. The project is consistent with the categorical exemptions noted above because work would consist of altering and updating components of the Alleghany Water System, replacing aging infrastructure, and the construction of small structures.

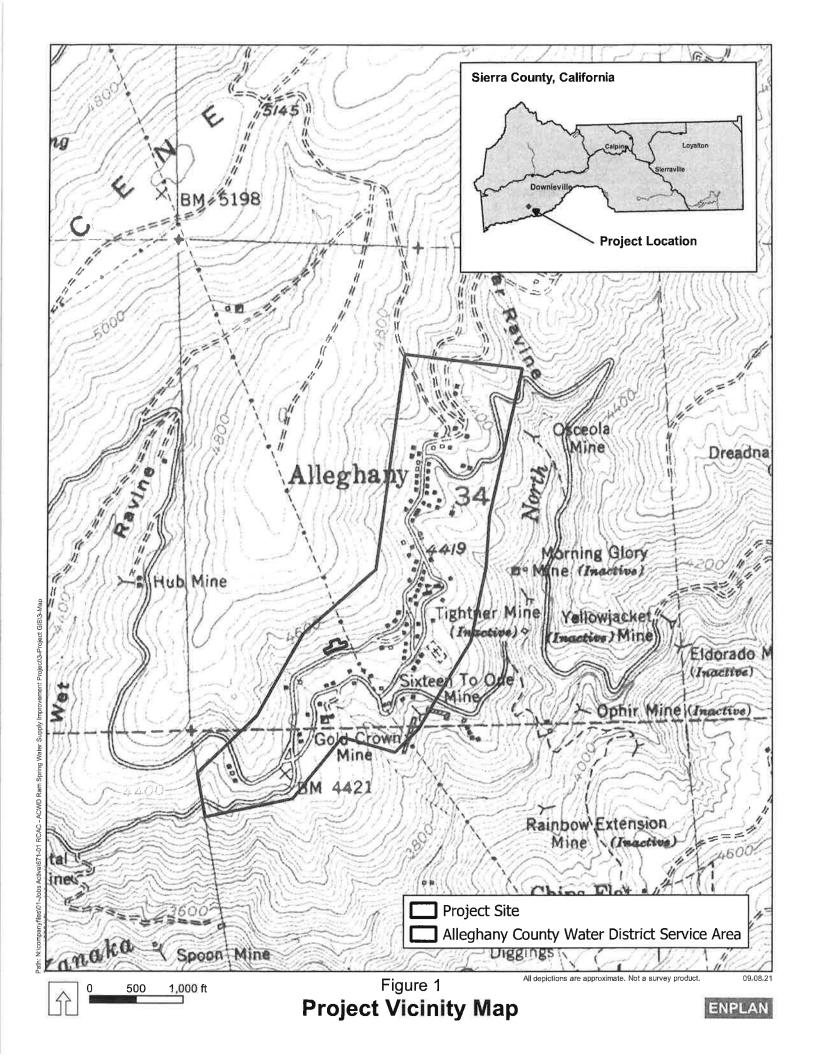
As documented in **Attachment A**, the project would not have a significant effect on the environment due to unusual circumstances; would not result in damage to scenic resources within a Scenic Highway; is not located on a hazardous waste site pursuant to §65962.5 of the Government Code; would not cause a substantial adverse change in the significance of a historical resource; and would not result in cumulative impacts.

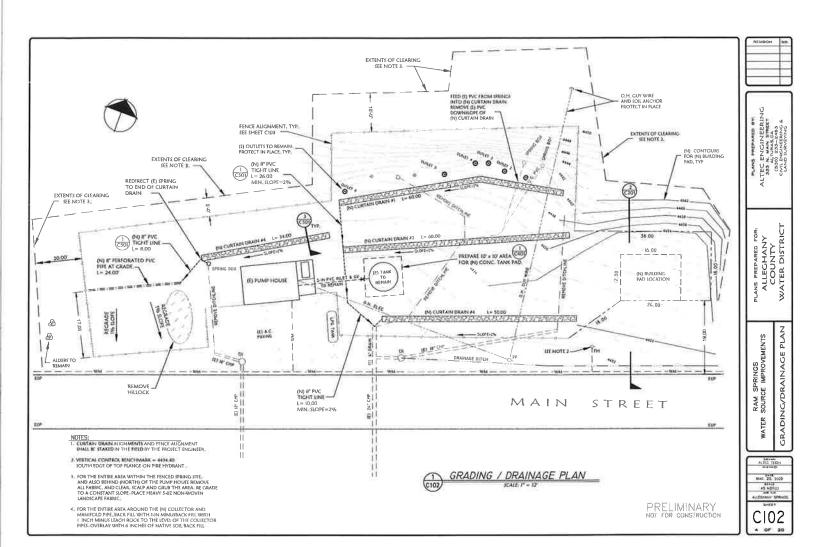
| Signature: | 2 Bul A | Date: 9/20/2021 |
|------------|--|-----------------|
| | Rae Bell Arbogast, General Manager Alleghany County Water District | |

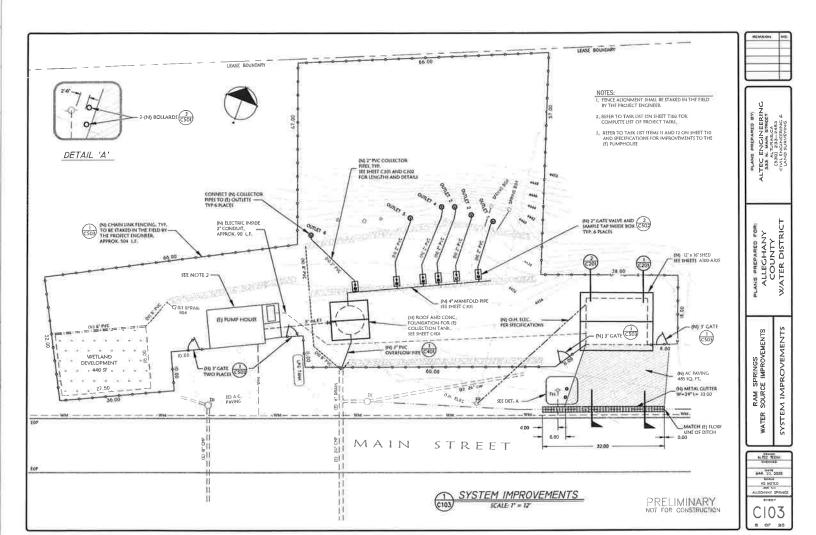
Date Received for Filing at OPR:

Figure 1: Vicinity/Location Map
Figure 2. Grading/Drainage Plan
Figure 3. System Improvements

Attachment A: Documentation in Support of a Categorical Exemption.







ATTACHMENT A

Notice of Exemption

Alleghany County Water District Ram Spring Water Supply Improvement Project

As described in the Notice of Exemption (NOE), the proposed project is categorically exempt from CEQA pursuant to §15301 (Class 1-Existing Facilities), §15302 (Class 2-Replacement or Reconstruction), and §15303 (Class 3-New Construction or Conversion of Small Structures). CEQA Guidelines §15300.2 identifies exceptions that override a lead agency's ability to use a categorical exemption. These exceptions are listed below, followed by documentation of why each exception does not apply to the proposed project.

1. Cumulative Impact. All exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time, is significant.

There are no successive similar projects proposed in the study area. Therefore, the project's impacts would not be cumulatively considerable.

2. Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

An "unusual circumstance" exists if the project's circumstances differ from the general circumstances of projects covered by the applicable exemption, and, if so, whether there is a reasonable possibility of a significant effect on the environment *due to* the unusual circumstances. As documented below, there are no unusual circumstances that would preclude a categorical exemption for the project.

Aesthetics

Project components that have a potential to result in permanent aesthetic impacts include the new freestanding roof over the water tank and the new ±192-square-foot lab building. Other features in the viewshed include the existing water tank, pump house building, and fence; heavily treed hillsides; and mature trees and other vegetation throughout the project area.

The freestanding roof and lab building would be visible from the adjacent roadway. However, considering the heavily treed hillsides surrounding the project area and the extent of existing improvements on site, the roof and lab would not be visually prominent features in the viewshed.

Project implementation would result in removal of brush and several trees to accommodate improvements. Given the abundance of trees in the area this would not result in a significant visual change. Additionally, the water meters replacements would be subsurface and no permanent visual impacts would occur. Temporary visual impacts during construction would cease at the completion of the improvements. Therefore, impacts associated with aesthetics would be minimal.

Agriculture and Forest Resources

According to the USDA Natural Resources Conservation Service (NRCS), areas in which improvements would occur are not designated as prime farmland, and there are no agricultural uses in the project area.

The project is not zoned for timberland production; however, a portion of the project site meets the definition of forest land pursuant to Public Resources Code section 12220(g). Project implementation would require removal of trees to facilitate construction of the lab building, to prevent root intrusion, and to eliminate the possibility of tree fall onto water system facilities. Given the extent of existing on-site development, the site is not suited for long-term timber production. Although a Timberland Conversion Permit or Conversion Exemption must be obtained prior to construction, there are no unusual circumstances associated with forest resources that would preclude a categorical exemption for the proposed project.

Air Quality/Greenhouse Gas (GHG) Emissions

The project would result in the temporary generation of ROG, NOx, PM₁₀, and other regulated pollutants, as well as GHG emissions, during construction. ROG, NOx, and GHG emissions are primarily associated with employee vehicle trips, delivery of materials, and construction equipment exhaust. PM₁₀ is generated during earth disturbance. The project does not include any components that would result in a long-term increase in emissions. There are no unusual circumstances associated with air quality/GHG emissions that would preclude a categorical exemption for the proposed project.

Biological Resources

Special-Status Plant and Wildlife Species

Review of the U.S. Fish and Wildlife Services (USFWS) species list did not identify and federally listed plant species as potentially occurring in the project area. The project area does not contain designated critical habitat for federally listed plant species.

A review of the California Natural Diversity Data Base (CNNDB) records showed that two special-status species, Ahart's buckwheat and Cantelow's lewisia, have been reported within an approximate 5-mile radius of the project site. CNDDB did not identify any non-status plant species within the search radius.

Review of the USFWS species list for the project area identified the following federally listed animal species as potentially being present in the project area: California red-legged frog, Sierra Nevada yellow-legged frog, and Delta smelt. The USFWS species list does not identify designated critical habitat in the study area for any federally listed animal species.

A review of CNDDB records showed that one special-status wildlife species, foothill yellow-legged frog, have been reported within an approximate five-mile radius of the project site. Due to the amount of human activity in the area and the lack of suitable habitat, none of these special-status plant or wildlife species would be present on the project site.

Wetlands and Other Waters

According to the 2021 Supplemental Aquatic Resources Delineation Report prepared for the proposed project, three wetland features totaling 909 square feet (0.02 acres) were mapped within the project boundary. Although a portion of the wetland features would be impacted by the proposed project, improvements include the construction of a ±440 square-foot wetland in the southwestern portion of the project site. Water from a new curtain drain would be directed to a 24-foot long, 8-inch diameter perforated pipe to be located along the upper edge of the created wetland. Regrading of the downslope land would be conducted to provide even distribution of water throughout the created wetland. Additionally, work would be completed in accordance with permit requirements; needed permits may include a Department of the Army Nationwide Permit, Water Quality Certification or Waste Discharge Requirements from the Regional Water Quality Control Board, and possibly a Streambed Alteration Agreement from California Department of Fish and Wildlife.

Nesting Birds

The vegetative structure of the area is relatively natural with an overstory of large trees. Given the habitat characteristics, the potential for birds to nest in the area is moderately high. Project construction has some potential to directly affect nesting birds if trees are removed during the nesting season. Project construction could also indirectly affect nesting birds by causing adults to abandon their nests in response to loud noise levels and other human-induced disturbances during construction.

The potential for adversely affecting nesting birds will be minimized by conducting construction activities outside of the nesting season (between September 1 and January 31), or conducting pre-construction nesting surveys in accordance with existing standard construction measures if work is conducted during the nesting season.

There are no unusual circumstances associated with special-status species, wetlands, nesting birds, or other biological resources that would preclude a categorical exemption for the proposed project.

Energy

The proposed project does not include any components that would result in environmental impacts due to the wasteful, inefficient, or unnecessary consumption of energy resources in the long-term. There are no unique circumstances related to energy use for the proposed project that would result in more significant impacts than for similar projects.

Geology and Soils

According to the Alquist-Priolo Earthquake Fault Zoning Map for Sierra County, the nearest Alquist-Priolo Special Study Zone is the Foothills Fault System Zone, approximately 32.5 miles west of the project area. The nearest potentially active fault is the Giant Gap fault, approximately 13 miles south of the project area.

Soils on the project site are mapped by the USDA Natural Resources Conservation Service (NRCS) as Crozier-Mariposa-Cryumbrepts, wet complex, 30 to 75 percent slopes. These soil types are found throughout the project area and are not unique to the project site. There are no unusual circumstances associated with the on-site geology or soils that would preclude a categorical exemption for the proposed project.

Hydrology and Water Quality

Construction activities would result in the temporary disturbance of soil and would expose disturbed areas to potential storm events, which could generate accelerated runoff, localized erosion, and sedimentation. However, this is a temporary impact during construction, and no long-term impacts would occur. Additionally, Best Management Practices (BMPs) for erosion/sediment control would be implemented in accordance state and local requirements. There is nothing unique about the project site or project design that would result in significant impacts to water quality.

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (Panel 06091C0575C, 02/01/12), the project area is designated as Zone X (an area of minimal flood hazard). Additionally, the project does not include any components that would impede or redirect flood flows or otherwise adversely affect the natural value and functions of the floodplain.

There would be no increase in water system capacity associated with the proposed project; improvements are required in order to protect existing infrastructure and ensure a safe and reliable water supply for ACWD customers.

There are no unusual circumstances associated with hydrology or water quality that would preclude a categorical exemption for the proposed project.

Land Use and Planning

The project would not physically divide an established community or cause an environmental impact due to a conflict with a land use plan, policy, or regulation.

Mineral Resources

According to the California Department of Conservation, Division of Mine Reclamation, the nearest mine is the Sixteen-To-One Mine, approximately 0.25 miles southeast of the project area. The parcel in which the project site is located is owned by the Original Sixteen-To-One Mine and leased to the ACWD. The Sierra County General Plan land use map shows that the parcel is currently designated as "Public Service". Additionally, aerial photographs from 1985 through 2018 were reviewed and indicate that the site has not recently been used for mining activities. The California Geological Survey has not designated any Mineral Resource Zones in the project area. There are no unusual circumstances associated with mineral resources that would preclude a categorical exemption for the proposed project.

Noise

Construction activities would temporarily increase noise levels in the area. However, there is nothing unique to the project that would result in more significant impacts than other similar construction projects. The project does not include any components that would result in a permanent increase in noise levels.

Population and Housing

The purpose of the project is to protect and maintain existing infrastructure and to ensure a safe and reliable water supply for ACWD customers. Because the project would not increase the effective capacity of the AWCD water system, the project would not induce substantial unplanned population growth in the area. There are no unusual circumstances associated with population and housing that would preclude a categorical exemption for the proposed project.

Public Services/Recreation

Because the project would not induce population growth, the project would not generate a demand for additional fire protection, police protection, schools, parks/recreational facilities, or other public services.

Transportation/Traffic

There would be short-term increases in local traffic associated with construction workers and equipment; however, existing regulations require safety measures to be employed to safeguard travel by the general public during construction. The project does not include any components that would create a traffic hazard and would not substantially affect traffic volumes. The proposed activity would not have a significant effect on the environment due to unusual circumstances.

Utilities and Service Systems

Because the project would not induce population growth, no significant impact on utilities or services would occur. There are no unusual circumstances associated with utilities or service systems that would preclude a categorical exemption for the proposed project.

Wildfire

The proposed project does not include any development or improvements that would increase the long-term risk of wildland fires or expose people or structures to wildland fires. There are no unique circumstances associated with the proposed project that would result in more significant impacts than other similar projects in the area.

3. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State Scenic Highway.

According to the California Scenic Highway Mapping System, the closest designated State scenic highway is a segment of State Route (SR) 49 approximately 5.4 miles north of the study area. The project area is not visible from the scenic highway: therefore, there would be no impact.

4. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to §65962.5 of the Government Code.

The following databases were reviewed to locate "Cortese List" sites.

- List of Hazardous Waste and Substances sites from the Department of Toxic Substances Control EnviroStor database.
- State Water Resources Control Board (SWRCB) GeoTracker Database.
- List of solid waste disposal sites identified by SWRCB with waste constituents above hazardous waste levels outside the waste management unit.
- List of active Cease and Desist Orders and Clean-Up and Abatement Orders from the SWRCB.

Review of the above records showed that the nearest active Leaking Underground Storage Tank (LUST) clean-up site, Alleghany Maintenance Station, is approximately 600 feet southeast of the project area. Historically the clean-up site property had been owned and operated by the Original Sixteen-to-One Mine up until about 1970. Subsequently, Sierra County acquired the property and has operated the site as a public works maintenance facility. In July 1999, four underground storage tanks (USTs) were removed and investigations at the time of the removal revealed the presence of petroleum contamination affecting soil and groundwater. Currently, the clean-up site is under review by the Central Valley Water Board for closure. Because the clean-up site is well downslope from the project site, the project would not affect or be affected by the clean-up site.

5. Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

According to a letter dated January 24, 2020, from the State Water Resources Control Board (SWRCB) a cultural resources study was completed for the project by an archaeologist with the SWRCB. The study included a records search at the Northeast Repository [Information Center] and a search of the Native American Heritage Commission sacred lands file. Additionally, information requests were sent to three Native American tribes; no sites of religious or cultural significance were identified in the Area of Potential Effects. A summary of the findings is included in the January 24, 2020, letter from the SWRCB.

Although the letter concluded that no cultural resources would be affected by the project, there is always some potential for previously unknown cultural resources to be encountered during construction. The following standard construction measures will be included in construction contracts for the project to address the inadvertent discovery of cultural resources and human remains:

- In the event of any inadvertent discovery of cultural resources (i.e., burnt animal bone, midden soils, projectile points or other humanly-modified lithics, historic artifacts, etc.), all work within 50 feet of the find shall be halted until a professional archaeologist can evaluate the significance of the find in accordance with PRC §21083.2(g) and §21084.1, and CEQA Guidelines §15064.5(a). If any find is determined to be significant by the archaeologist, the Alleghany County Water District staff shall meet with the archaeologist to determine the appropriate course of action. If necessary, a Treatment Plan prepared by an archeologist outlining recovery of the resource, analysis, and reporting of the find shall be prepared. The Treatment Plan shall be reviewed and approved by the District prior to resuming construction.
- 2. In the event that human remains are encountered during construction activities, Alleghany County Water District shall comply with §15064.5 (e) (1) of the CEQA Guidelines and PRC §7050.5. All project-related ground disturbance within 100 feet of the find shall be halted until the County coroner has been notified. If the coroner determines that the remains are Native American, the coroner will notify the NAHC to identify the most likely descendants of the deceased Native Americans. Project-related ground disturbance in the vicinity of the find shall not resume until the process detailed in §15064.5 (e) has been completed.
- 3. In the event that project plans change to include areas not surveyed, additional archaeological reconnaissance may be required. If cultural resources are encountered, the archaeologist shall recommend/implement additional measures as necessary, which may include subsequent monitoring by an archaeologist or Native American.

DOCUMENTATION:

Avalex, Inc. Underground Storage Tank Closure Report, Alleghany Maintenance Station.

https://documents.geotracker.waterboards.ca.gov/esi/uploads/geo_report/1447262108/T0609100009.PDF.

Accessed June 2021.

California Air Resources Control Board. Area Designations Maps—State and National. https://ww2.arb.ca.gov/resources/documents/maps-state-and-federal-area-designations. Accessed June 2021.

- California Department of Conservation, California Geological Survey. 2015. SMARA Mineral Land Classification Maps. http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=mlc. Accessed June 2021.
- Earthquake Zones of Required Investigation. 2021.
 https://maps.conservation.ca.gov/cgs/EQZApp/app/. Accessed June 2021.
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- _____. 2016. California Important Farmland Finder Map. https://maps.conservation.ca.gov/dlrp/ciff/. Accessed June 2021.
- California Department of Conservation, Division of Mine Reclamation. 2016. Mines Online. https://maps.conservation.ca.gov/mol/index.html. Accessed June 2021.
- California Department of Transportation. 2021. California State Scenic Highway Mapping System. Sierra County. https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways. Accessed June 2021.
- California Environmental Protection Agency. 2021. Cortese List Data Resources. https://calepa.ca.gov/sitecleanup/corteselist/. Accessed May 2021.
- California Natural Diversity Database. June 2021.
- **ENPLAN.** July 2021. Supplemental Aquatic Resources Delineation Report Ram Spring Water Supply Improvement Project. On file with ENPLAN.
- Federal Emergency Management Agency. National Flood Hazard Map (Panel 06091C0575C; effective February 12, 2012). https://hazardsfema.maps.arcgis.com/apps/webappviewer/index.html?id=8b0adb51996444d4879338b5529 aa9cd. Accessed June 2021.
- **Spring Rivers Ecological Sciences, LLC.** 2019. Wetland Delineation Report for Ram Spring Water Supply Improvement Project. On file with ENPLAN.
- _____. 2020. CEQA Initial Study and Checklist for Ram Spring Community Water Supply Improvement Project. On file with ENPLAN.
- U.S. Department of Agriculture, Natural Resources Conservation Service. 2021. Web Soil Survey. https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx. Accessed June 2021.
- U.S. Geological Survey. 2015. U.S. Quaternary Faults, Interactive Fault Map. https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf. Accessed June 2021.
- **U.S. Fish and Wildlife Service.** 2021. List of Threatened and Endangered Species. https://ecos.fws.gov/ipac/. Accessed June 2021.